

# REPORT OF THE COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

## Voting Members:

Carol Fukunaga, Chair; Ann H. Kobayashi, Vice Chair;  
Brandon J.C. Elefante, Joey Manahan, Trevor Ozawa

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Committee Meeting Held  
August 23, 2017

Honorable Ron Menor  
Chair, City Council  
City and County of Honolulu

Mr. Chair:

Your Committee on Public Works, Infrastructure and Sustainability, which considered Bill 72 (2017) entitled:

“A BILL FOR AN ORDINANCE RELATING TO CITY-OWNED STREAMS,”

introduced on July 31, 2017 and which passed first reading at the August 9, 2017 Council meeting, reports as follows:

The purpose of the Bill is to address camping at City-owned streams or portions thereof.

The Deputy Director of the Department of Facility Maintenance testified that his department's enforcement of ordinances to prohibit camping at City-owned streams is limited to those activities occurring on the stream bank. He noted that State Department of Land and Natural Resources has jurisdiction over navigable waters and watercraft; as such, the use of watercraft “as a temporary or permanent dwelling place” was beyond the scope of his department's jurisdiction.

A representative from the Honolulu Police Department testified in a similar fashion, noting that his department was similarly limited in jurisdiction over watercraft.

Comments regarding increased numbers of unauthorized individuals camping along streams or under bridges were received from an individual.

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON

**SEP 06 2017**

COMMITTEE REPORT NO. **328**



# REPORT OF THE COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

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After discussion, your Committee approved a CD1 version that makes the following amendments:

- A. Amends the proposed amendment to the definition of "camp" or "camping" by amending the second sentence of the definition by deleting "use of a vehicle or watercraft" and replacing the foregoing with "use of the site."
- B. Makes other miscellaneous technical and nonsubstantive amendments.

Your Committee on Public Works, Infrastructure and Sustainability acknowledges that the foregoing amendment does not resolve the issues the bill is intended to address, and noted that this initial amendment will be used to solicit clarification regarding the appropriate combination of state/county enforcement mechanisms to reduce unauthorized camping activity along City-owned streams. Your Committee is in accord with the intent and purpose of Bill 72 (2017), as amended herein, and recommends that it pass second reading, be scheduled for a public hearing, and be referred back to Committee in the form attached hereto as Bill 72 (2017), CD1. (Ayes: Fukunaga, Kobayashi, Manahan – 3; Noes: None; Excused: Elefante, Ozawa - 2.)

Respectfully submitted,

  
Committee Chair

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## CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ADOPTED ON SEP 06 2017

COMMITTEE REPORT NO. 328

**SUMMARY OF PROPOSED COMMITTEE DRAFT:**

**Bill 72 (2017)  
RELATING TO CITY-OWNED STREAMS.**

**The PROPOSED CD1 makes the following amendments:**

- A. Amends the proposed amendment to the definition of "camp" or "camping" by amending the second sentence of the definition by deleting "use of a vehicle or watercraft" and replacing the foregoing with "use of the site."
- B. Makes other miscellaneous technical and nonsubstantive amendments.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 72 (2017), CD1

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**A BILL FOR AN ORDINANCE**

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RELATING TO CITY-OWNED STREAMS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address camping at City-owned streams or portions thereof.

SECTION 2. Section 41-43.1, Revised Ordinances of Honolulu 1990, is amended by amending the definition of "Camp" or "Camping" to read as follows:

""Camp" or "camping" means the use and occupation of a city-owned stream or city-owned stream riparian zone as a temporary or permanent dwelling place or sleeping place. "Camp" or "camping" includes the laying down of a sleeping bag or other bedding material for use, or the use of the site as a temporary or permanent dwelling place or sleeping place."

SECTION 3. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the underscoring.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 72 (2017), CD1

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**A BILL FOR AN ORDINANCE**

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SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ann Kobayashi

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DATE OF INTRODUCTION:

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\_\_\_\_\_  
\_\_\_\_\_

July 31, 2017

Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
KIRK CALDWELL, Mayor  
City and County of Honolulu